

SUMMARY ANALYSIS OF AMENDED BILL

Author: Blakeslee Analyst: Deborah Barrett Bill Number: AB 18
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: March 19, 2007
 Attorney: Tommy Leung Sponsor: _____

SUBJECT: Warren Mattingly Signature Stamp Act/Governmental Entities Treat Disabled Persons
 Signature Affixed with Signature Stamp As Made In Writing

- ____ DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended ____.
- ____ AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- ____ AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the previous analysis of bill as introduced/amended ____.
- ____ FURTHER AMENDMENTS NECESSARY.
- ____ DEPARTMENT POSITION CHANGED TO ____.
- ____ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS INTRODUCED December 4, 2006,
X STILL APPLIES.
- ____ OTHER – See comments below.

SUMMARY

This bill would make changes to the rules associated with the use of signature stamps by disabled individuals.

SUMMARY OF AMENDMENTS

The March 19, 2007, amendments made procedural changes on how a signature stamp is utilized before the stamp may be treated in the same manner as a signature made in writing. The March 19, 2007, amendments also resolved the Policy Concern identified in the department's analysis of the bill as introduced December 4, 2006. The "This Bill" description has been revised, and the remainder of the analysis of the bill as introduced December 4, 2006, still applies.

POSITION

Pending.

Board Position:

____ S ____ NA ____ NP
 ____ SA ____ O ____ NAR
 ____ N ____ OUA X PENDING

Legislative Director

Date

Brian Putler

4/5/07

THIS BILL

This bill would allow an authorized user of a signature stamp to affix a signature to a document or writing any time that a signature is required by law or requested in connection with a transaction. This bill would authorize the signature stamp used as prescribed by the bill to be treated in the same manner as a signature made in writing.

This bill would require the following for a signature stamp to be used:

- The person using the stamp is the authorized user of that signature stamp.
- The person uses the signature stamp in the presence of the person, entity, or representative of the person or entity that required or requires the signature.
- The owner of the signature stamp presents valid identification as proof of his or her identity to ensure that the person using or authorizing the use of the signature stamp is the owner of that stamp.
- A person may not use a signature stamp on a ballot or to obtain a ballot in any local state or federal election unless the person has registered the signature stamp with the Secretary of State.

The bill provides definitions for the following terms:

- “Authorized User” means either a person with a disability who by reason of that disability is unable to write and who owns a signature stamp or a person using the signature stamp on behalf of the owner of the stamp with the owner’s express consent and in the presence of the owner.
- “Disability” means a medical condition, mental disability, or physical disability as those terms are defined in the Government Code.
- “Identification” means any form of identification listed in the California Code of Regulations.
- “Signature Stamp” means a stamp that contains the impression of the actual signature of a person with a physical disability, a mark or symbol that is adopted by the person with the physical disability, or a signature in the name of a person with a physical disability that is made by another person and is adopted by the person with the physical disability.

LEGISLATIVE STAFF CONTACT

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